

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JOANN ZABALA,

Plaintiff,

19 **CIVIL** 10922 (BCM)

-against-

JUDGMENT

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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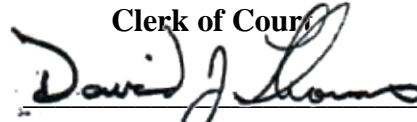
It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons set forth in the Court's Order dated March 4, 2021, the Court has carefully reviewed the record, the briefs, and applicable law, and heard oral argument from the parties on March 4, 2021. For the reasons announced on the record at the conclusion of the argument, the Court has determined that the Commissioner committed legal error requiring remand. Therefore, plaintiff's motion for judgment on the pleadings (Dkt. No. 25) is **GRANTED**, the Commissioner's motion for judgment on the pleadings (Dkt. No. 14) is **DENIED**, and the case is **REMANDED** for further proceedings consistent with the Court's oral decision. On remand, the ALJ should review the entire record, including plaintiff's 2017 EMG, Dr. De's findings as to the ROM in her left wrist, and plaintiff's various statements as to the circumstances under which she stopped working in 2014. Additionally, the ALJ should develop the record by requesting treatment notes from plaintiff's psychiatrist, Dr. Brito, and therapist, Ms. Singer (both affiliated with Montefiore Medical Center), and requesting medical opinion evidence as to plaintiff's physical impairments from Dr. Kim, Dr. Walter and Dr. Plachta (also affiliated with Montefiore Medical Center). The ALJ should then reassess plaintiff's subjective complaints of pain and related symptoms, as well as her RFC, in light of the entire record; accordingly, the case is closed.

Dated: New York, New York
March 4, 2021

RUBY J. KRAJICK

Clerk of Court

BY:


Deputy Clerk